

## PATENT

## REMARKS

Claims 1-6 are pending in the present application. Claims 1-6 stand rejected. Claim 1 has been amended. Claims 22-35 have been added.

Claim 1 stands rejected under 35 U.S.C. 102(e) as being anticipated by Preston et al. (U.S. Pat. No. 6,493,338). Applicants respectfully traverse this rejection.

Claim 1 recites a system for concurrent wireless voice and data communications including (a) a first transceiving unit tethered to a voice network and to a data network; (b) a second, mobile transceiving unit; (c) the first transceiving unit combines and transmits to the second, mobile transceiving unit independent of user control, voice and data information from the voice and the data network respectively, and receives and separates voice and data information from the second, mobile transceiving unit and routes to the voice network and the data network, respectively; and (d) the second, mobile transceiving unit combines and transmits to the first transceiving unit, voice and data information and receives and separates voice and data information from the first transceiving unit; wherein the first transceiving unit employs multiple frequency, time-division-multiple-access, time-division-duplex, channels that support concurrent wireless voice and data communications. (Emphasis Added)

The Office states that Preston et al. discloses a system for concurrent wireless voice and data communications. However, the voice and data communications of Preston are not concurrent. Preston requires user intervention to switch from transmitting voice information to transmitting data information. Preston discloses a switch 204 that is controlled either through a menu on a screen in a cell phone or by a button that extends out of the back end of a battery pack. The switch 204 couples either voice signals from the microphone or digital data tones from the IBS modem. (Preston et al., Col. 9, lines 50-61) The user must manually switch between voice and data communications to send either voice signals or data signals, but cannot send both concurrently and can cannot transmit voice and data information without user intervention. Thus, the communication of Preston is not concurrent.

Because Preston et al. neither discloses nor suggests a system for concurrent wireless voice and data communications as recited in Claim 1, Claim 1 is necessarily not anticipated and non-obvious over Preston et al. For this reason, withdrawal of the rejection of Claim 1 is requested, and allowance of independent Claim 1 is respectfully solicited. Claims 2-6 depend from allowable Claim 1 and are allowable for at least this reason. Claims 2-6 include additional patentable subject matter.

Newly added Claims 22-25 depend from allowable Claim 1 and are allowable for at least this reason. Claims 22-25 include additional patentable subject matter.

Newly added Claim 26 recites a method for concurrent wireless voice and data communications between first and second transceiving units, the first transceiving unit tethered to a voice network and to a data network and the second transceiving unit being mobile, comprising the steps of: (a) providing plural frequency, time-division-multiple-access, time-division-duplex, channels; (b) combining and transmitting both voice and data information on the plural channels; and, (c) receiving and separating the voice and data information; wherein the concurrent wireless voice and data communications is concurrent from a user's perspective. (Emphasis Added).

As illustrated above, Preston et al. does not disclose concurrent wireless voice and data communications. Therefore, Claim 26 is necessarily not anticipated and non-obvious over Preston et al. Claims 27-35 depend from allowable Claim 26 and are allowable for at least this reason. Claims 27-35 include additional patentable subject matter.

Applicant(s) respectfully submit that the present application is now in condition for allowance. Accordingly, the Examiner is requested to issue a Notice of Allowance for all pending claims.

Should the Examiner deem that any further action by the Applicant(s) would be desirable for placing this application in even better condition for issue, the Examiner is requested to issue a formal Notice of Allowance for all pending claims.

PATENT

Respectfully submitted,

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Date

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